

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

JUDITH A. WAGNER, Chapter
11 Trustee of the bankruptcy estate
of The Vaughan Company, Realtors,

Master Case No. 12-CV-00817-WJ-SMV

Plaintiff,

v.

JONATHAN LEVANN,

Case No. 12-CV-00187-WJ-SMV

MICHAEL MENKE,

Case No. 12-CV-00203-WJ-SMV

JAMES RICHARDS, individually and as Trustee
of the James Richards Revocable Trust,

Case No. 12-CV-00207-WJ-SMV

DANIEL FENTON, and
NANCY FENTON,

Case No. 12-CV-00241-WJ-SMV

MOSTAFA JAFARI, MARTEZA JAFARI
a/k/a MORTEZA JAFARI a/k/a MORI
JAFARI, MARYAM JAFARI, MELIKA
JAFARI, MOHAMMAD REZA JAFARI,
ZAHRA JAFARI, VAHID DERISS,
MOJTABA JAFARI, and FARZANEH
JAFARI,

Case No. 12-CV-00300-WJ-SMV

ABBAS ANSARI and
PEYMANEH POUR,
husband and wife,

Case No. 12-CV-00301-WJ-SMV

MARIE YEH, individually and as personal
representative of the estate of Chon-Chiun Yeh,
JENNY YEH NELSON, JULIE C. LOUIE,
DAVID L. LOUIE, JOHN DOE, as trustee of the
YEH FAMILY REVOCABLE TRUST uta dated
October 2, 2001, JIMMY CHIH MING YEH a/k/a
JIMMY C. YEH, RACHEL HANYEH, and
MARIE YEH as personal representative of the
estate of Chon-Chiun Yeh d/b/a Chinese
Acupuncture Clinic,

Case No. 12-CV-00303-WJ-SMV

SAID BANDI a/k/a SAID ALAGHE
BANDI, individually, SAID BANDI d/b/a
Bandi Engineering, BANDI

Case No. 12-CV-00391-WJ-SMV

ENGINEERING COMPANY, INC., ADF
FINANCIAL, INC., SHAHLA BANDI a/k/a
SHAHLA ZOLFAGHARI, MARYAM
ALAGHE-BANDI, HAMID ALAGHE
BANDI, HOSSEIN ALAGHE BANDI,
ABDUL DABIRI, SHARAREH SHAHIN,
And NEW MEXICO ACCOUNTING
SPECIALISTS, INC.,

STEVEN S. ETKIND and SHERRY ETKIND, Case No. 12-CV-00754-WJ-SMV
husband and wife; STEVEN S. ETKIND,
as trustee of STEVEN AND SHERRY ETKIND
REVOCABLE LIVING TRUST; and TALIA ETKIND,

JILL PLAMAN, as personal representative of the Case No. 12-CV-00496-WJ-SMV
estate of Carla Kosinski,

Defendants.

**STIPULATED ORDER MODIFYING JUNE 9, 2014 STIPULATED ORDER AND
EXTENDING DEADLINES FOR CERTAIN DEFENDANTS TO RESPOND TO
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

This matter comes before the Court upon the stipulation of the parties hereto. The parties represent to the Court as follows:

1. On June 9, 2014, this Court entered a Stipulated Order (Doc. No. 889) (the "Stipulated Order"), which set various discovery deadlines, including, inter alia, a July 31, 2014 termination date for discovery, a August 14, 2014 deadline for discovery motions, and an August 21, 2014 deadline for pretrial motions.

2. The plaintiff and the above-captioned defendants, excluding Sharareh Shahin and New Mexico Accounting Specialists, Inc., in Case No. 12-CV-00391, who are in default, agree that more time is necessary to conduct discovery in the above-captioned cases.

3. On January 31, 2014, Plaintiff filed her Motion for Partial Summary Judgment Against All Defendants on All But One Element of Trustee's Prima Facie Case on Actual and

Constructive Fraudulent Transfers (Doc. No. 731), and brief in support thereof (Doc. No. 732) (together, the "**MSJ**").

4. Plaintiff has agreed that the above-captioned defendants, excluding Sharareh Shahin and New Mexico Accounting Specialists, Inc., in Case No. 12-CV-00391, who are in default, may have additional time to respond to the MSJ, in order to facilitate ongoing discovery.

5. The Court, after reviewing the Motion, the pleadings of record, and being otherwise fully advised on the premises, hereby FINDS entry of this Order to be appropriate under the circumstances have no just reason exists to delay entry hereof.

IT IS HEREBY ORDERED that the deadlines set in the Stipulated Order (Doc. No. 889) are extended as follows:

- A. The termination date for discovery set is extended through and until **August 29, 2014**.
- B. The deadline for motions relating to discovery is extended through and until **September 19, 2014**.
- C. The deadline for pretrial motions is extended through and until **October 10, 2014**.
- D. The deadline for Plaintiff to provide a draft pretrial order to the Defendants is extended through and until **November 12, 2014**.

E. The deadline for the Defendants to provide the completed pretrial order to the Court is extended through and until **November 26, 2014**.

IT IS FURTHER ORDERED that the above-captioned defendants, except Sharareh Shahin and New Mexico Accounting Specialists, Inc., in Case No. 12-CV-00391, who are in default, may have through and until **September 4, 2014**, to respond to the Plaintiff's *Motion for Partial Summary Judgment Against All Defendants on All But One Element of Trustee's Prima Facie Case on Actual and Constructive Fraudulent Transfers* (Doc. No. 731).



HONORABLE STEPHAN M. VIDMAR
UNITED STATES MAGISTRATE JUDGE

Submitted by:

BECKER & POLIAKOFF, LLP

By: /s/ submitted electronically

Helen Davis Chaitman
45 Broadway
New York, NY 10006
Tel: (212) 599-3322
Counsel for Defendants

and

MERRIE L. CHAPPELL

By: /s/

Merrie L. Chappell
P.O. Box 21333
Albuquerque, NM 87154-1333
(505) 246-299-0180
Attorneys for Defendants

Approved by:

ASKEW & MAZEL, LLC

By: /s/ approved by email on July 2, 2014

James A. Askew
Edward A. Mazel
Daniel A. White
320 Gold Ave. S.W., Suite 300A
Albuquerque, NM 87102
(505) 433.3097 (phone)
(505) 717.1494 (fax)
Attorneys for the Plaintiff